

#### REMARKS

Claims 1-8 and 10-17 have been canceled. New Claims 18-30 remain active in the case. Reconsideration is respectfully requested.

#### Claim Amendments

New Claims 18-30 find basis in previously active Claims 1-8 and 10-17. Entry of the new claims into the record is respectfully requested.

#### Claim Rejection, 35 USC 112, 1<sup>st</sup>

The issue raised under the first paragraph of 35 USC 112 is believed obviated by the amendments to the claims which limit the same to the microorganism *Asp. Fumigatus* and to the specific coantifungal agents of Amphotericin B, Itraconazole, Nikkomycin X and Flucytosine. The Examiner has indicated that the specification is enabling to the scope of the invention as now claimed in Claim 18. Accordingly, the enablement rejection is believed obviated and withdrawal of the same is respectfully requested.

#### Claim Rejection, 35 USC 112, 2<sup>nd</sup>

The issue raised with respect to original Claim 2 is believed obviated by the cancellation of the claim from the case.

As to the matter of Claim 11, in the new claims the subject matter is presented in two new claims which are Claims 22 and 23. Further, support for a salt form of lipopeptide compound (I) is found in original Claim 1, as well as new Claim 18, where the claim recites the salt form of the lipopeptide compound. Accordingly, the issues raised in the second paragraph rejection are believed obviated and withdrawal of the rejection is respectfully requested.

Application No. 09/926,679  
Reply to Office Action of April 20, 2004


It is now believed that the application is in proper condition for allowance. Early notice to this effect is earnestly solicited.

Respectfully submitted,

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